

**EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

*** OVARIAN CANCER AWARENESS MONTH ***

[M12-321]

WHEREAS, ovarian cancer, the deadliest of all gynecologic cancers, is the fifth leading cause of cancer deaths among women in the United States, and the mortality rate for ovarian cancer has not significantly decreased over the past 40 years; and

WHEREAS, approximately 22,300 women will be diagnosed with ovarian cancer in the United States this year and of those women diagnosed, an estimated 15,500 will die from ovarian cancer; and

WHEREAS, all women are at risk for ovarian cancer, and many women diagnosed with ovarian cancer do not have a family history that puts them at a higher risk; and

WHEREAS, due to the lack of reliable early detection tests, only 15 percent of cases of ovarian cancer are detected at an early stage, making the overall five-year survival rate 44 percent; and

WHEREAS, the symptoms of ovarian cancer often include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, urinary symptoms and several other symptoms that are easily confused with other diseases; and

WHEREAS, increased awareness of the symptoms and risk factors of ovarian cancer by women and health care providers across Arizona can enhance the chances of early detection, early diagnosis and survival from this disease; and

WHEREAS, ovarian cancer research can help develop reliable diagnostics, better therapies, and prevention strategies.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 2012 as

*** OVARIAN CANCER AWARENESS MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this sixth day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** SURGICAL TECHNOLOGISTS WEEK ***

[M12-322]

WHEREAS, the profession of surgical technology was developed during World War II, when there arose a critical and defined need for assistance in the performing of surgical procedures during war and battle situations; and

WHEREAS, from this need sprang forth the profession of surgical technology, which has grown meeting the continued demand for well educated, highly skilled, versatile and professional individuals to assist in the delivery of the highest quality of patient care; and

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WHEREAS, the Association of Surgical Technologists was officially incorporated as a non-profit, educational association in 1969; and

WHEREAS, the Association's foremost goal centers around ensuring that surgical technologists, through accredited surgical technology programs, certification and continuing education requirements, continue to administer the highest quality care to the surgical patient; and

WHEREAS, surgical technologists are now recognized as integral members of the surgical team, working closely with the surgeon, and in alliance with the registered nurse, delivering direct patient care and ensuring patient safety before and during the operative procedure; and

WHEREAS, the field of surgical technology will continue to grow, producing individuals recognized for their dedication and performance in a rapidly evolving and highly technical career.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 16 – 22, 2012 as

*** SURGICAL TECHNOLOGISTS WEEK ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this sixth day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA PREPAREDNESS MONTH ***

[M12-306]

WHEREAS, the residents of Arizona are called to action to be prepared for any emergency, large or small; and

WHEREAS, the threat of foreign and domestic terrorism has caused all Americans to re-evaluate their levels of preparedness; and

WHEREAS, the State of Arizona and its residents often endure monsoon rains, flash floods, wildfires and extreme heat, which can damage property and infrastructure, threaten public safety, strain resources and impact state commerce; and

WHEREAS, residents are encouraged to be prepared for emergencies in their homes, businesses and schools by developing family communication plans and disaster preparedness kits; and

WHEREAS, State agencies and State employees can help educate others and should be prepared to assist during and after a disaster; and

WHEREAS, emergencies and disasters can strike without provocation, making it imperative that individuals, families, schools and industry "Prepare a Plan," "Make a Kit" and "Be Informed"; and

WHEREAS, the State of Arizona has partnered with Arizona Citizen Corps Councils, the Arizona Department of Homeland Security, the Arizona Department of Emergency and Military Affairs, and the Arizona Department of Health Services, among others, in recognizing the need for a broad public education program about the importance of being prepared.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 2012 as

*** ARIZONA PREPAREDNESS MONTH ***

and encourage all residents to develop their own emergency preparedness plans.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this eighth day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** AUSTRIAN-AMERICAN DAY ***

[M12-307]

WHEREAS, 2012 marks the commemoration of the 65th Anniversary of the Marshall Plan, which greatly assisted in turning Austria from a war-ravaged ruin into a prosperous democracy; and

WHEREAS, the Austrian Society of Arizona, Austrian-American Councils and Austrian-American friendship group of the United States will celebrate the 16th official "Austrian-American Day" on September 26, 2012, as a solemn reminder of the establishment of the first provisional Austrian post-war government on September 26, 1945; and

WHEREAS, the people of America and Austria are united in friendship and exhibit a camaraderie that transcends physical distance, facilitated by shared goals and interests; and

WHEREAS, the cultural, intellectual, economic, political, scientific, and social contributions of the Austrian people have become a necessary and integral part of American society.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 26, 2012 as

*** AUSTRIAN-AMERICAN DAY ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this eighth day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** CAMPUS FIRE SAFETY MONTH ***

[M12-304]

WHEREAS, since January 2000, at least 155 people, including students, parents and children have lost their lives in student housing fires with over 85 percent of these deaths having occurred in off-campus occupancies; and

WHEREAS, automatic fire alarm systems provide a necessary early warning of a fire to occupants and local fire departments so that appropriate action can be taken; and

WHEREAS, automatic fire sprinkler systems are a highly effective method of controlling or extinguishing a fire in its early stages, protecting the lives of the building's occupants; and

WHEREAS, a majority of students across the nation live in off-campus housing that is not adequately protected with automatic fire sprinkler systems and automatic fire alarm systems; and

WHEREAS, fire safety education is an effective method of reducing the occurrence of fires and reducing the resulting loss of life and property; and

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WHEREAS, it is vital to educate citizens about the importance of fire safety, in order to ensure the well-being of students for the college years and beyond.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 2012 as

*** CAMPUS FIRE SAFETY MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this eighth day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** GEOGRAPHY AWARENESS WEEK ***

[M12-305]

WHEREAS, the week of November 11 – 17, 2012 is designated as Geography Awareness Week; and

WHEREAS, the world is increasingly interconnected and interdependent, but too many students lack understanding of the world's geography within and beyond our country's borders; and

WHEREAS, Geography Awareness Week promotes geographic literacy and education in our nation's schools and communities, which is an essential part of a 21st century education, and has been a congressionally-mandated week since 1987; and

WHEREAS, teachers, students, and communities across Arizona will gain further understanding that our world is made up of interconnected human and natural systems, with special emphasis this year on the 2012 theme of "interdependence," using resources developed by the National Geographic Society and other committed organizations during Geography Awareness Week and throughout the school year.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 11 – 17, 2012 as

*** GEOGRAPHY AWARENESS WEEK ***

and encourage all citizens to participate in this special observance with students, sharing in their geographic research and academic achievement.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this eighth day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** PUBLIC LANDS DAY ***

[M12-308]

WHEREAS, America's system of public lands includes parks, unique landscapes, forests, wildlife refuges, historic trails, natural streams and wetlands, nature centers, gardens and other landmark areas throughout the nation that individually and collectively represent irreplaceable national resources; and

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WHEREAS, public lands provide locally accessible natural and cultural resources for environmental learning, wildlife appreciation and recreation; and

WHEREAS, public lands promote civic ideals that include shared stewardship and recognition of public ownership; and

WHEREAS, shared stewardship requires the goodwill, cooperation and active support of citizens, community, city and state officials, business leaders, children and adults; and

WHEREAS, land conservation builds awareness among urban dwellers with concerns about planned development, shared land use, preservation of wild areas and natural habitats, and the benefits realized by diligent restoration and enhancement efforts; and

WHEREAS, an alliance between private citizens, land managers and community leaders improves the condition of publicly held lands for the greater enjoyment and enrichment of all Americans; and

WHEREAS, National Public Lands Day is co-sponsored by the National Environmental Education Foundation, the Bureau of Land Management, the Bureau of Reclamation, the U.S. Department of Defense, the National Park Service, U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and the U.S.D.A. Forest Service, and has become an annually anticipated event for local participation on publicly held lands in Arizona.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona do hereby proclaim September 29, 2012 as

*** PUBLIC LANDS DAY ***

and call upon the citizens of Arizona to recognize and participate in this special observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this eighth day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** AFRICAN IMMIGRANT HEALTH AND HERITAGE MONTH ***

[M12-316]

WHEREAS, African immigrants are proud of their heritage, and each September, they celebrate their heritage and culture, as well as raise awareness about African immigrant health issues; and

WHEREAS, the month of September was chosen because African Union Day is on September 9th; and

WHEREAS, this year's theme honors United States African-American Immigrants in the Military/Veterans; and

WHEREAS, recent African immigrants have made significant contributions to American culture such as having high educational and income levels, as well as contributing to many areas of American life such as the arts, health, education, military, community service and public policy; and

WHEREAS, raising awareness about African immigrant health is crucial to effectively fight health disparities and essential to build a network of African immigrants and refugee health advocates who disseminate culturally sensitive information to the community; and

WHEREAS, a healthy and vibrant African immigrant community will continue to enhance American society with its rich heritage and culture.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 2012 as

*** AFRICAN IMMIGRANT HEALTH AND HERITAGE MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-first day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

EXECUTIVE ORDER 2012-03

State Regulatory Review, Moratorium and Streamlining To Promote Job Creation and Retention

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2014 as a notice to the public regarding state agencies' rulemaking activities.

[M12-226]

WHEREAS, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent any additional burdens on Arizona's private sector employers and political subdivisions; and

WHEREAS, this rule making review and moratorium process has continued by session law or executive order to this day; and

WHEREAS, a predictable regulatory climate in this State will promote job creation and retention; and

WHEREAS, Arizona's efforts are being rewarded, such as being ranked as one of the top ten best states for business in a survey of chief executive officers this year, the eighth best for job growth in the last year, and the top state for innovators starting new business; and

WHEREAS, last January, I determined that State agencies needed to quicken the pace on streamlining existing rules and reducing wasted time in regulatory processes to increase Arizona's economic competitiveness and job creation, while still protecting public health, safety and the environment; and

WHEREAS, the 50th Legislature passed and I signed into law House Bill 2744 (2012 Arizona Laws, Chapter 352) which permits a state agency to conduct expedited rulemaking to streamline existing rules; and

WHEREAS, this expedited rulemaking authority will be used, in part, by State agencies to implement the "lean" waste reduction initiative I announced last January to increase the efficiency and service quality of State agencies; and

WHEREAS, I encourage the general public and regulated community to bring forward ideas to State agencies and the Governor's Regulatory Review Council on what rules need to be streamlined and how that can be best achieved while still protecting public health, safety and the environment; and

WHEREAS, the current regulatory review and moratorium expires on June 30, 2012.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State hereby declare the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is to eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
 - a. To fulfill an objective related to job creation in this State.
 - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal govern-

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- ment against an agency for failure to conduct the rulemaking action.
- e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2014 or is necessary under subparagraph (c) of this paragraph.
 - f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - g. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
 4. This order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the Corporation Commission, or (c) any state agency whose agency head is not appointed by the Governor.
 5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making process.
 6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the office of the Governor by July 31, 2012 all pending and anticipated rule making requests. Beginning fiscal year 2013 all state agencies shall submit to the Office of the Governor by the end of each fiscal year an annual report of all pending and anticipated rule making to Office of the Governor.
 7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
 8. For the purposes of this executive order, "person," "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.
 9. This Executive Order expires on December 31, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix, Arizona this 26th day of June in the year Two Thousand Twelve and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State